Equal Opportunities Policy

The Equality Act

Silcoates School is fully aware of its responsibilities with regard to the Equality Act and seeks to implement the provisions of the Act in its policies and procedures.

In October 2010, the Equality Act replaced all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. The Equality Act therefore provides a single, consolidated source of discrimination law and it extends protection from discrimination in some areas.

Advice from the DfE says that as far as schools are concerned, the effect of the current law is the same as it has been in the past, meaning that schools cannot unlawfully discriminate against pupils or staff because of their sex, race, disability, religion or belief, or sexual orientation. However, protection against discrimination has now been extended to pupils who are pregnant or have recently given birth, or who are undergoing gender reassignment. It is also unlawful to victimise a child for anything done in relation to the Act by their parent or sibling. The Act extends the reasonable adjustment duty to require schools to provide auxiliary aids and services to disabled pupils.

The Act makes it unlawful for a school to discriminate against, harass or victimise a pupil or potential pupil:

- in relation to admissions
- in the way it provides education for pupils
- in the way it provides pupils access to any benefit, facility or service, or
- by excluding a pupil or subjecting them to any other detriment.

All members of staff are liable for their own discriminatory actions and the Board of Governors is also liable, unless it can show that it has taken all reasonable steps to stop an individual from doing the discriminatory action or from doing anything of that kind.

The liability of a school not to discriminate, harass or victimise does not end when a pupil has left the school, but will apply to subsequent actions connected to the previous relationship between the school and pupil, such as the provision of references on former pupils or access to former pupils' communications and activities.

Protected Characteristics

It is unlawful for a school to discriminate against a pupil or prospective pupil by treating them less favourably because of their:

- sex
- race
- disability

- religion or belief
- sexual orientation
- gender reassignment
- pregnancy or maternity

The term 'protected characteristics' is used as a convenient way to refer to the personal characteristics to which the law applies.

It is also unlawful to discriminate against another person with whom a pupil with a protected characteristic is associated and/or to discriminate against a pupil who is perceived to have any of the protected characteristics, whether or not this is actually the case.

Unlawful Behaviour

The Act defines four kinds of unlawful behaviour:

- Direct discrimination occurs when one person treats another less favourably, because of a protected characteristic, than they treat – or would treat – other people.
- Indirect discrimination occurs when a 'provision, criterion or practice' is applied generally, but has the effect of putting people with a protected characteristic at a disadvantage when compared to people without that characteristic.
- Harassment is unwanted conduct, related to a relevant protected characteristic, which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. This covers unpleasant and bullying behaviour, but potentially extends also to actions which, intentionally or unintentionally cause offence to a person because of a protected characteristic.
- Victimisation occurs when a person is treated less favourably than they otherwise would have been because of something they have done ('a protected act') in connection with the Act, for example making an allegation of discrimination or bringing a case under the Act. A child must not be victimised because of something done by their parent or a sibling in relation to the Act.

Disability

The disability provisions in the Act are different from those for other protected characteristics in a number of ways. The overriding principle of equality legislation is generally one of equal treatment. However, the provisions relating to disability discrimination are different in that schools may, and often must, treat a disabled person more favourably than a person who is not disabled and may have to make changes to their practices to ensure, as far as is reasonably possible, that a disabled person can benefit from what is offered to the same extent that a person without that disability can.

The Act defines disability as when a person has a 'physical or mental impairment which has a substantial and long term adverse effect on that person's ability to carry out normal day to day activities'. Some specified medical conditions, HIV, multiple sclerosis and cancer are all

considered as disabilities, regardless of their effect. Long term is defined as lasting, or likely to last, for at least twelve months.

Direct Discrimination – A school must not treat a disabled pupil less favourably simply because that pupil is disabled, for example by having an admission bar on disabled applicants. There is no justification for direct discrimination in any circumstances.

In order to count as direct discrimination, less favourable treatment must meet two tests:

- the less favourable treatment must be because of the child's disability; and
- it must be less favourable treatment than that which is or would be given to other children.

Indirect Discrimination – A school must not do something which applies to all pupils but which is more likely to have an adverse effect on disabled pupils only, unless they can show that it is done for a legitimate reason, and is a proportionate way of achieving that legitimate aim.

Harassment – A school must not harass a pupil because of their disability.

Reasonable Adjustments – Pupils

Silcoates School takes all reasonable steps to avoid any disadvantage to a disabled pupil compared to other pupils. The School endeavours to provide an auxiliary aid or service for a disabled pupil when it is reasonable to do so, and if such an aid alleviates any substantial disadvantage that the pupil faces in comparison to non-disabled pupils.

The School gives due consideration to what it can do to ensure that a disabled pupil is not placed at a substantial disadvantage. When we have worked out what, if anything, can be done to achieve this result, we apply a reasonableness test to any possible adjustment.

The following factors are taken into account in considering whether an adjustment is reasonable:

- the effect of the disability on the pupil;
- whether the step would overcome the substantial disadvantage;
- the need to maintain academic, musical, sporting and other standards;
- the financial resources available;
- the cost of taking a particular step;
- the extent to which it is practicable to do so;
- the extent to which support will be provided via a SEN statement;
- health and safety requirements;
- the interests of other pupils.

Reasonable Adjustments – Staff

Silcoates School as an employer is under the same duties to make reasonable adjustments in relation to disability for its employees or potential employees as we are for our pupils. The School endeavours to make reasonable adjustments to arrangements or practices to alleviate disadvantage and takes reasonable steps to provide any necessary auxiliary aids and services. We are aware of our duties to consider alterations to physical features of the School where that is reasonable to avoid disadvantage caused by disability.

Education Specific Employment Provisions

All of the protected characteristics, including age, are covered by the employment provisions of the Act. As an employer, Silcoates School does not discriminate against a potential employee in respect of whether to offer a job or the terms on which it offers a job, and it does not discriminate against existing employees in respect of the benefits, facilities and services it offers to its employees, including training opportunities, promotion or dismissal.

We recognise that harassment against potential or existing employees in relation to any of the protected characteristics is also unlawful, as is victimisation of any person who has done a protected act.

Access

Silcoates School occupies premises and grounds which cover approximately 60 acres. A proportion of our buildings are historic and listed, and many areas of the School have several storeys without lifts.

The School follows a system, common in practice to most educational establishments, under which each academic subject is taught in designated classrooms. As pupils progress though their education, there is an increasing requirement on them to travel from classroom to classroom, often up and down stair cases.

Unfortunately, pupils with impaired mobility will be somewhat disadvantaged, or even possibly completely prevented, in having access to some or all of the educational and other facilities on the School site. These challenges cannot be remedied in any substantial way by reasonable adjustments without major alterations to school premises at prohibitive cost.

However, where reasonable, the School seeks to make adjustments and improvements to its infrastructure over time to ensure as high a degree of accessibility as possible for all pupils, parents and visitors.

We are able, depending on need, to arrange for children to use laptop computers in classes, and, for example, for large print documents to be given to those with impaired vision.

Accessibility Plan

Silcoates School has an Accessibility Plan, which aims to:

- increase the extent to which disabled pupils can participate in the curriculum;
- improve the physical environment of the School to enable disabled pupils to take better advantage of education, benefits, facilities and services provided;
- improve the availability of accessible information to disabled pupils.

The School also has regard to the need to provide adequate resources for implementing plans and regularly reviews them. The Accessibility Plan is linked, where appropriate, to the School Development Plan and to medium and long-term plans for the School.

In drawing up the plan, we are mindful that it should:

- cover a period of three years, or further if appropriate;
- be within the resources that the School can afford;
- be the subject of inspection by the Independent Schools Inspectorate.

The action that should be considered to increase the extent to which disabled pupils can participate in the curriculum includes staff deployment, timetabling, curriculum options, and staff information and training.

Improving the physical environment means easier access to buildings and the installation of physical aids to access education. The Equality and Human Rights Commission's Code of Practice for Schools specifically states that the physical environment of the School includes steps, stairways, exterior surfaces and paving, building entrances and exits (including those for emergency use), internal and external doors, gates, toilets and washing facilities, lighting, ventilation, lifts, floor coverings, signs and furniture.

Physical aids to gain access to education specifically include ICT equipment, enlarged computer screens and keyboards, concept keyboards, switches, specialist desks and chairs and portable aids for children with poor hand/eye skills, such as extra robust scientific glassware and specialist pens and pencils.

Improving the delivery of information to disabled pupils involves planning how to make the information currently provided by schools to their pupils, from timetables to textbooks, hand-outs to information about school events, more accessible over time to disabled pupils – most obviously to those with visual or hearing impairments. The sorts of things which would be considered as part of our planning duty are alternative formats such as braille, audio tape, differing font sizes, lip speaking and sign languages.

As part of our Accessibility Plan, the School has drawn up a list of all necessary adaptations and divided it into short, medium and long-term priorities. The long-term priority is to make the whole school accessible; the medium-term one is to provide all staff with disability awareness training; and the short-term one is to review currently planned building, maintenance and refurbishment works with the aim of including measures to take account of the needs of disabled pupils.

The Accessibility Plan is monitored by the Board of Governors, with delegated authority to the Head and the Bursar. The School is aware that as a matter of law it is under a statutory duty to implement its plan and to allocate adequate resources to it.

Action Plan

Silcoates School takes steps to anticipate any reasonable adjustments it might need to make, recognising that failure to take anticipatory action may lead to unlawful discrimination in individual cases, simply because the likely delays which will result from not anticipating problems before they arise are in themselves likely to place disabled pupils at a substantial disadvantage when their cases come to be considered.

Following legislation in September 2012, when the duty to provide auxiliary aids and services as part of the duty to make reasonable adjustments was implemented, Silcoates School recognises that is unlawful to charge for making reasonable adjustments. However, if the School is taking steps beyond what is reasonable, a charge may be levied. Each case is considered on its own facts.

Among other policies and procedures, we include:

- a clear commitment to equality, non-discrimination and equal opportunities on our website and in the way the School is run;
- the amendment of admissions forms to request details of any reasonable adjustments a pupil may require in relation to the entrance examination, open day or entry to the School;
- the creation of special early admissions meetings with parents of disabled prospective pupils to discuss any special arrangements for exams;
- the inclusion of disability awareness within staff training programmes.

SEND Policies

The aim of the School's SEND policies (which are available on the website) is to enable all pupils with SEND to realise their potential and to participate as normally as possible in the academic and general life of the School. However, within any teaching group, the number and type of pupils with SEND cannot be such as to place an unreasonable burden on the teacher or to hamper the progress of the other pupils.

Equal Opportunities – Pupils

Introduction

Silcoates School is committed to ensuring that it is free from unlawful discrimination. The School aims to prepare children for life in the wider community and we seek to promote positive attitudes and behaviour in a society where no one should suffer discrimination of any kind, including racial, religious, gender-based, cultural, sexual, sexist, homophobic, special educational needs, disability-related or because a pupil is adopted or is a carer.

Aims

- To provide a curriculum, both inside and outside the classroom, that recognises and promotes equal opportunities;
- To provide a pastoral care system that recognises and promotes equal opportunities;
- To provide a Personal Development programme that encourages discussion and debate about equal opportunities;
- To ensure that adequate training and appropriate resources are given to all staff so that they are able to implement the School's policy on equal opportunities;
- To maintain a clear and supportive framework within which pupils can voice their concerns with regard to adverse experience, behaviour and attitudes.

Responsibilities

Admissions Manager

- To collect relevant information from parents of prospective and new pupils;
- To alert appropriate staff to areas of potential concern with prospective or new pupils with regard to equal opportunities.

Senior Deputy Head, Deputy Head (Academic), Head of Junior School

- To ensure that all curriculum policies make reference to the need for equal opportunities;
- To provide appropriate staff training to develop awareness of issues relating to equal opportunities and to ensure that the policy is being implemented;
- To ensure that Heads of Faculty are aware of the need for equal opportunities within their subject areas and to ensure that the School's policy is being implemented;
- To ensure that all pastoral policies make reference to the need for equal opportunities;
- To ensure that Heads of Section and other pastoral staff are aware of the need for equal opportunities within their areas and to ensure that the School's policy is being implemented.

Senior Deputy Head, Heads of Section

- To ensure that issues relating to equal opportunities are included in a coherent and developmental way in the School's Personal Development programme, in an age-appropriate manner.
- To log any reported incidents of discrimination on CPOMS

Head of Learning Support

- To provide information to appropriate staff on pupils with specific needs with regard to equal opportunities;
- To provide guidance for appropriate staff to ensure equal opportunities for pupils with specific needs.

All Other Staff

- To be fully aware of the School's policy on equal opportunities and to implement the policy as far as is reasonably possible;
- To bring to the attention of the appropriate line manager any concerns that may be felt where a pupil does not have access to equal opportunities.
- To complete a pink form where any comment or behaviour of discrimination by a pupil is witnessed

Implementation

- **Admissions** – admission decisions are made on the basis of fair and objective criteria. The School's selection procedures are reviewed regularly to ensure that they are appropriate for achieving our aims and for avoiding unlawful discrimination. The School welcomes pupils with disabilities and/or special educational needs provided that it can provide any support required and that the School site can accommodate them.
- **Curriculum** – the School has curriculum policies which detail the curriculum provided for all pupils throughout the School. These policies aim to ensure that the curriculum is accessible to all pupils and that the quality of its delivery is of an equally high standard for everyone. It recognises that classroom organisation and teaching skills need to be adapted, as far as is reasonably possible, to ensure an equality of learning experience.
- **Other Policies** – these are in place for Assessment, Reporting, Marking, Spelling, Homework, Differentiation, Special Educational Needs and/or Disabilities and English as an Additional Language, all of which recognise the need for equal opportunities and promote their delivery.
- **Accessibility Plan** – the School implements, as far as reasonably possible, the terms of the Special Educational Needs and Disability Act, including an Accessibility Plan for the School buildings and facilities.
- **Pastoral** – the School has policies which detail the pastoral care arrangements provided for all pupils throughout the School. These policies aim to ensure that pastoral care is available to all pupils and that the quality of the care provided is of an equally high standard for everyone. Policies are in place for Safeguarding, Anti-Bullying and Rewards & Sanctions, all of which recognise the need for equal opportunities and promote their delivery.
- **Personal Development** – the School has a formal programme for Personal, Social, Health and Citizenship Education, which details the opportunities for pupils to learn about issues of equal opportunities.
- **Staff Training** – appropriate training is provided to enable staff to implement and uphold our commitment to equality of opportunity.
- **Complaints** – there are a variety of forums through which the pupils can express any concerns they have about the equality of opportunity available to them, including the Student Voice system.

Breaches of this policy

Pupils who are in breach of this policy may be sanctioned in accordance with the School's Behaviour Policy.

If you believe that a pupil has received less favourable treatment as a result of a protected characteristic, or if you feel that this policy has been breached in any way to a pupil's detriment you are encouraged to raise the matter through the School's Complaints Procedure which is available on the School website.

Related Policies
This policy should be read in conjunction with the following:

- Admissions Policy
- Behaviour Policy
- Anti-bullying Policy
- Discipline and Exclusions Policy
- Accessibility Plan
- Anti-harassment Policy
- Special Educational Needs (SEN) and Disabilities Policy
- Child Protection and Safeguarding Policy
- Complaints Policy

The School is fully committed to ensuring that the application of this policy is non-discriminatory in line with the UK Equality Act (2010).

Reviewed by:	Mr Wainman – Head Mrs Sanderson – Bursar Mr C Evans – Senior Deputy Head Mrs E Moss – Head of Junior School		
Date of last review:	June 2025	**Date of next review:**	June 2026